

U.S. PTO  
08/978636  
11/18/97

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Anticipated Classification of this Application: \_\_\_\_\_  
 Class \_\_\_\_\_ Subclass \_\_\_\_\_  
 Prior Application: Exam'r: Remy Yucel  
 Group Art Unit: 1805  
 Attorney's Docket No.: Enz-53 (DIV 3)

**FILED BY EXPRESS MAIL**

Hon. Commissioner of Patents and Trademarks  
 Washington, D.C. 20231  
**BOX FWC (if under 1.62)**

#2/PU-A  
 F.R.  
 02/25/98

Sir:

This is a request for filing a CONTINUATION X DIVISIONAL  
CONTINUATION-IN-PART application under 37 CFR X 1.60  
37 CFR 1.62, of pending prior application Serial No. 08/574,443  
 filed on December 15, 1995 of Elazar Rabbani et al.  
 Inventor(s)

for:

**NOVEL PROPERTY EFFECTING AND/OR PROPERTY EXHIBITING  
 COMPOSITIONS FOR THERAPEUTIC AND DIAGNOSTIC USES**

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. X A copy of the verified statement under 37 CFR 1.9 and 1.27 establishing small entity status in the prior application is enclosed. Small entity status is still applicable.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT									
					RATE			FEE	
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	1	=	0	x	\$ 11	\$ 22	=	\$ 395	\$ ---
Independent Claims	1	=	0	x	\$ 41	\$ 82	=	\$ 0	\$ ---
Multiple Dependent Claims Presented: <u>Yes</u> <u>x</u> <u>No</u>					\$ 135	\$ 270		\$ ---	\$ ---
* If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE		\$ 395	\$ ---
						TOTAL FEE		\$ 395	\$ ---

Attorney's Docket No. Enz-53 (DIV 3)

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EN449473938  
 Deposit Date November 25, 1997

I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231

Nov 25 97  
 Ronald C. Feltus

Elazar Rabbani et al.

Serial No.: 08/574,443

Filed: Herewith

Page: 2 (Request for a Continuation Application Under 37 C.F.R. 1.60 -  
November 25, 1997)

4.   X   The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.
- X   Any additional filing fees required under 37 CFR 1.16.
- X   Any patent application processing fees under 37 CFR 1.17.
5.   X   The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.
- X   Any patent application processing fees under 37 CFR 1.17.
- The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- Any filing fees under 37 CFR 1.16 for presentation of extra claims.
6.        A check in the amount of \$                      is enclosed.
7.   X   Cancel claims 25-244.
8.        Amend the specification by inserting before the first line of the sentence: --- This is a        continuation,   X   divisional,        continuation-in-part, of application Serial No. 08/574,443, filed on December 15, 1995. ---
9.        Transfer the drawings from the prior application.
10.   X   Informal   X   Formal        drawings are enclosed.
11.        Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.
12.        Priority of application Serial No.                      filed on                             is claimed under 35 U.S.C. 119.                       
The certified copy of the priority application has been filed in prior application Serial No.                      filed                     .
13.   X   The prior application is assigned of record to Enzo Therapeutics, Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York, New York 10022. [A copy of the originally submitted Assignment and the Notice of Recordation are enclosed herewith.]
14.   X   A preliminary amendment is enclosed.

15.   X   The power of attorney in the prior application is to:  
Ronald C. Fedus, Reg. No. 32,567, and John J. Santalone,  
Reg No. 32, 794.
- (a)   X   The power appears in the original papers in the prior  
application.
- (b)        Since the power does not appear in the original  
papers, a copy of the power in the prior application is  
enclosed.
- (c)        A copy of a new substitute power of attorney is  
enclosed.
- (d)        Address all future communications to: (May only be  
completed by applicant, or attorney or agent of  
record.)

Ronald C. Fedus, Esq.  
Enzo Diagnostics, Inc.  
c/o Enzo Biochem, Inc.  
527 madison Avenue (9th Floor)  
New York, New York 10022

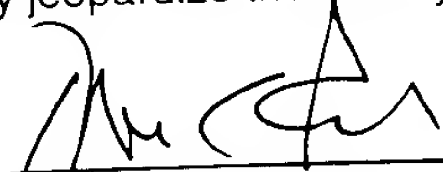
16.   X   Also accompanying this Request is a Petition to Revive An  
Unintentionally Abandoned Application Under 37 C.F.R.  
1.137(b).
17.   X   I hereby verify that the attached papers are a true copy of prior  
application Serial No.   08/574,443  .
18.        The parent application (Serial No.   08/574,443  ) was  
unintentionally abandoned after   2/25/97  , which was  
the date that a   response to the     11/25/96     Office    
  Action   was originally due. As noted under No. 16 above, this  
Request For a Continuation Application is accompanying the  
Petition to Revive an Unintentionally abandoned Application Under  
37 C.F.R. 1.137(b), along with the requisite petition fee therefor.  
With the expected granting of the Petition, the parent application  
will be copending with the filing of this new continuation application.

The undersigned declares further that all statements made herein of his own knowledge  
are true and that all statements made on information and belief are believed to be true;  
and further that these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine  
or imprisonment, or both, under Section 1001 of Title 18 of the United States

Elazar Rabbani et al.  
Serial No.: 08/574,443  
Filed: Herewith  
Page: 4 (Request for a Continuation Application Under 37 C.F.R. 1.60 -  
November 25, 1997)

Code and that such willful false statements may jeopardize the validity of the  
application or any patent issuing thereon.

NOV 25 97  
Date



Signature [Ronald C. Fedus]

Registration No. 32, 567

Attorney for Applicants

☐ Inventor(s)

☐ Assignee of Complete Interest

☒ Attorney or Agent of Record

☐ Filed under 37 CFR 1.34(a)

Address of Signator:  
Enzo Therapeutics, Inc.  
c/o Enzo Biochem, Inc.  
527 madison Avenue (9th Floor)  
New York, New York 10022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

**Box: PATENT APPLICATION**

Sir:

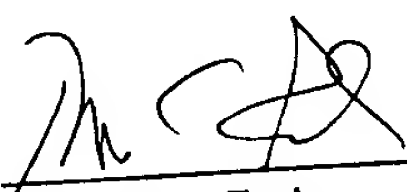
Transmitted herewith for filling is the patent application of:

Inventor(s): Elazar Rabbani,  
Jannis G. Stavrianopoulos,  
James J. Donegan,  
Dakai Liu,  
Norman E. Kelker, and  
Dean L. Engelhardt

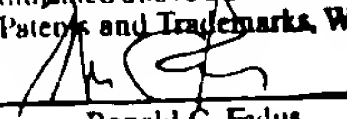
For: **NOVEL PROPERTY EFFECTING AND/OR PROPERTY  
EXHIBITING COMPOSITIONS FOR THERAPEUTIC &  
DIAGNOSTIC USES**

Respectfully submitted,

DECEMBER 15, 1995  
Date

  
Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

ENZO THERAPEUTICS, INC.  
ENZO DIAGNOSTICS, INC.  
c/o Enzo Biochem, Inc.  
575 Fifth Avenue (18th Floor)  
New York, New York 10017  
Telephone (212) 856-0876

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EF436871946
Deposit Date	DECEMBER 15, 1995
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	DEC 15 1995 Date